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NO. 175 P.1

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DATE: February 22, 2006

PTO IDENTIFIER: Application Number 10/729,046 - Conf. No. 9312

Inventor: Alexander M. Harmon et al.

MESSAGE TO: US Patent and Trademark Office, Mail Stop After Final

FAX NUMBER: (571) 273-8300

FROM: NUTTER MCCLENNEN & FISH LLP

Charlton Shen

PHONE: (617) 439-2000

Attorney Dkt. #: 22956-235

PAGES (Including Cover Sheet): 11

CONTENTS:

Amendment Transmittal (1 page)  
Response to Final Office Action Under 37 C.F.R. 1.116 (9 pages)

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NO. 175 P.2

<b>AMENDMENT TRANSMITTAL LETTER</b>				Docket No. 22956-235
Application No. 10/729,046	Filing Date December 5, 2003	Examiner Alvin J. Stewart	Art Unit 3738	
Applicant(s): Alexander M. Harmon et al.				
Invention: Viable Tissue Repair Implants and Methods of Use				
<b>TO THE COMMISSIONER FOR PATENTS</b>				
X Transmitted herewith is a Response to Final Office Action Under 37 C.F.R. 1.116				
X The fee has been calculated and is transmitted as shown below.				
<b>CLAIMS AS AMENDED</b>				
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate
Total Claims	17	- 27	0	x 50.00 0.00
Independent Claims	2	- 2 =	0	x 200.00 0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>				
Other fee: 0.00				
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:</b> \$0.00				
<input checked="" type="checkbox"/> Large Entity <input type="checkbox"/> Small Entity <input type="checkbox"/> No additional fee is required for this amendment. <input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of \$ _____. A duplicate copy of this sheet is enclosed. <input type="checkbox"/> A check in the amount of \$ _____ to cover the filing fee is enclosed. <input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached. <input checked="" type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account No. <u>141449</u> as described below. A duplicate copy of this sheet is enclosed. <input type="checkbox"/> Credit any overpayment. <input checked="" type="checkbox"/> Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.				
Dated: <u>February 22, 2006</u>				
<u>Charlton Shen</u> Charlton Shen Attorney Reg. No.: 54,442 NUTTER MCCLENNEN & FISH LLP World Trade Center West 155 Seaport Boulevard Boston, Massachusetts 02210-2604 (617) 439-2000				
Amendment Transmittal				
I hereby certify that this correspondence is being sent via facsimile to (571) 273-8300 addressed to: Mail Stop After Final, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.				
Dated: February 22, 2006      Signature: <u>Charlton Shen</u> (Charlton Shen)				

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NO. 175 P.3

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Docket No.: 22956-235  
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Alexander M. Harmon et al.

Application No.: 10/729,046

Confirmation No.: 9312

Filed: December 5, 2003

Art Unit: 3738

For: VIABLE TISSUE REPAIR IMPLANTS AND  
METHODS OF USE

Examiner: Alvin J. Stewart

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Dated: February 22, 2006

Signature:   
(Charlton Shen)

RESPONSE TO FINAL OFFICE ACTION UNDER 37 CFR 1.116

Mail Stop After Final  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Final Office Action dated December 19, 2005, please amend the  
above-identified U.S. patent application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2  
of this paper.

Remarks/Arguments begin on page 6 of this paper.